

AMENDED IN ASSEMBLY AUGUST 31, 2009

AMENDED IN ASSEMBLY JULY 15, 2009

AMENDED IN ASSEMBLY JULY 2, 2009

AMENDED IN SENATE APRIL 13, 2009

SENATE BILL

No. 367

Introduced by Senator Negrete McLeod
(Principal coauthor: Senator Harman)
(Coauthors: Assembly Members Feuer, Fletcher, and Tran)

February 25, 2009

An act to add Section 51.13 to the Civil Code, relating to ~~discrimination~~ *discrimination, and declaring the urgency thereof, to take effect immediately.*

LEGISLATIVE COUNSEL'S DIGEST

SB 367, as amended, Negrete McLeod. Discrimination.

The Unruh Civil Rights Act provides that all persons within the jurisdiction of this state are free and equal, and no matter what their sex, race, color, religion, ancestry, national origin, disability, medical condition, marital status, or sexual orientation are entitled to the full and equal accommodations, advantages, facilities, privileges, or services in all business establishments of every kind whatsoever.

This bill would provide that any discount or other benefit offered to or conferred on a consumer or prospective consumer by a business because the consumer or prospective consumer has suffered the loss or reduction of employment or reduction of wages would not be considered an arbitrary discrimination in violation of that act.

This bill would declare that it is to take effect immediately as an urgency statute.

Vote: ~~majority~~^{2/3}. Appropriation: no. Fiscal committee: no.
State-mandated local program: no.

The people of the State of California do enact as follows:

1 SECTION 1. Section 51.13 is added to the Civil Code, to read:
2 51.13. Any discount or other benefit offered to or conferred
3 on a consumer or prospective consumer by a business because the
4 consumer or prospective consumer has suffered the loss or
5 reduction of employment or reduction of wages shall not be
6 considered an arbitrary discrimination in violation of Section 51.
7 SEC. 2. *This act is an urgency statute necessary for the*
8 *immediate preservation of the public peace, health, or safety within*
9 *the meaning of Article IV of the Constitution and shall go into*
10 *immediate effect. The facts constituting the necessity are:*
11 *Currently, the state is facing an unprecedented economic crisis.*
12 *Unemployment levels are at record highs and tens of thousands*
13 *of jobs continue to be lost each month in California. Today, for*
14 *many Californians, each day is a struggle to survive financially.*
15 *Many businesses have begun to provide discounts to those who*
16 *have lost their jobs or are underemployed. This bill would clarify*
17 *that businesses who give these types of benefits to customers are*
18 *not in violation of the Unruh Civil Rights Act. In order to preserve*
19 *the integrity of the Unruh Civil Rights Act, it is necessary that this*
20 *act go into immediate effect.*